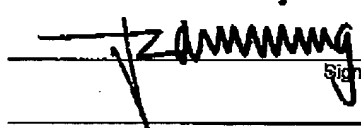


FEB 06 2007

PTO/SB/25 (09-06)

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<b>TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL DOUBLE PATENTING REJECTION OVER A PENDING "REFERENCE" APPLICATION</b>		Docket Number (Optional) PE0669USDIV
In re Application of: Frank P. Uckert, Et Al.		
Application No.: 10/816,160		
Filed: April 01, 2004		
For: ELECTROACTIVE FLUORENE POLYMERS HAVING PERFLUOROALKYL GROUPS, PROCESS FOR PREPARING SUCH POLYMERS AND DEVICES MADE WITH SUCH POLYMERS		
<p>The owner, <u>E. I. DU PONT DE NEMOURS AND COMPANY</u>, of <u>100</u> percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of any patent granted on pending reference Application Number <u>See Continuation Sheet</u>, filed on <u>Continuation Sheet</u>, as such term is defined in 35 U.S.C. 154 and 173, and as the term of any patent granted on said reference application may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending reference application. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the reference application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.</p> <p>In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of any patent granted on said reference application, "as the term of any patent granted on said reference application may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending reference application," in the event that: any such patent granted on the pending reference application: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.</p> <p>Check either box 1 or 2 below, if appropriate.</p> <p>1. <input type="checkbox"/> For submissions on behalf of a business/organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the business/organization.</p> <p>I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.</p> <p>2. <input checked="" type="checkbox"/> The undersigned is an attorney or agent of record. Reg. No. <u>34,857</u></p> <p> Signature</p> <p>February 6, 2007 Date</p> <p>JOHN H. LAMMING Typed or printed name</p> <p>302-992-5877 Telephone Number</p> <p><input checked="" type="checkbox"/> Terminal disclaimer fee under 37 CFR 1.20(d) is included.</p> <p><b>WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</b></p> <p>*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner). Form PTO/SB/99 may be used for making this statement. See MPEP § 324.</p>		

This collection of information is required by 37 CFR 1.321. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1460, Alexandria, VA 22313-1460.

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Page 1 of 2

**Terminal Disclaimer to Obviate a Provisional Double Patenting  
Rejection Over a Pending "Reference" Application**Docket No.  
PE0669USDIVApplication No.  
10/816,160Continuation Sheet

## Pending reference Application Numbers:

Reference Application Number	Filed On
10/809,737	03/25/2004
10/809,142	03/25/2004
10/809,169	03/25/2004
10/809,657	03/25/2004

Date: February 6, 2007

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NO. 5190 P. 4

PTO/SB/96 (09-06)

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**STATEMENT UNDER 37 CFR 3.73(b)**Applicant/Patent Owner: E. I. DU PONT DE NEMOURS AND COMPANYApplication No./Patent No. 10/816.160 Filed/Issue Date: April 01, 2004Entitled: ELECTROACTIVE FLUORENE POLYMERS HAVING PERFLUOROALKYL GROUPS, PROCESS FOR PREPARING SUCH POLYMERS AND DEVICES MADE WITH SUCH POLYMERSE. I. DU PONT DE NEMOURS AND COMPANY, acorporation

(Name of Assignee)

(Type of Assignee: corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest  
(The extent (by percentage) of its ownership interest is \_\_\_\_\_ %)

in the patent application/patent identified above by virtue of either:

- A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel 012921, Frame 0731, or a true copy of the original assignment is attached.

OR

- B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as follows:

1. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
2. From: \_\_\_\_\_ To: \_\_\_\_\_  
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☐ Additional documents in the chain of title are listed on a supplemental sheet.

As required by 37 CFR 3.73(b)(1)(i), the documentary evidence of the chain of title from the original owner to the assignee was, or concurrently is being, submitted for recordation pursuant to 37 CFR 3.11.

[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, to record the assignment in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

Signature

JOHN H. LAMMING

Printed or Typed Name

Corporate Counsel

Title

February 6, 2007

Date

302-992-5877

Telephone Number

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Patent

**In the United States Patent and Trademark Office**

In the Application of:

**Frank P. Uckert et al.**

Case No.: **PE0669USDIV**

Application No.: **10/816,160**

Group Art Unit: **1713**

Filed: **April 1, 2004**

Examiner: **Ling Siu Choi**

Confirmation No.: **9047**

For: **Electroactive Fluorene Polymers Having Perfluoroalkyl Groups, Process for  
Preparing Such Polymers and Devices Made With Such Polymers**

**Authorization to Charge Terminal Disclaimer Fee  
To Deposit Account**

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

The Director is hereby authorized to charge the terminal disclaimer fee set forth in 37 C.F.R. § 1.20(d) in the amount of \$ 130.00 for the statutory disclaimer being filed concurrently herewith to Deposit Account No. 04-1928 (E. I. du Pont de Nemours and Company).

A duplicate copy of this paper is enclosed.

Respectfully submitted,



**John H. Lamming**  
Attorney for Applicants  
Registration No.: 34,857  
Telephone: (302) 992-5877  
Facsimile: (302) 892-1026

Dated: February 6, 2007

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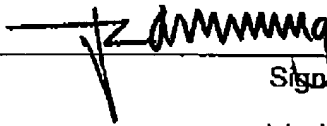
**Certificate of Transmission under 37 CFR 1.8**

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on February 6, 2007

Date



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John H. Lamming

Typed or printed name of person signing Certificate

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Registration Number, if applicable

302-992-5877

Telephone Number

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10/816,160

PE0669USDIV

Terminal Disclaimer (2 pages)

Statement Under 37 C.F.R. 3.73(b) (1 page)

Authorization to Charge Terminal Disclaimer Fee to Deposit Account (1 page each original + duplicate)

Page 1 of 6

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